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A Law Corporation

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Attorneys for Plaintiffs

SPORTS SHINKO CO., LTD., and

SPORTS SHINKO (USA) CO., LTD.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,

Plaintiff,

vs.

QK HOTEL, LLC, a Hawai'i
limited liability company,

Defendant.

CIVIL NO. CV 04-00124

ACK/BMK

**PLAINTIFFS' RESPONSE TO
DEFENDANTS OR HOTEL,
LLC AND MILILANI GOLF
CLUB LLC'S FIRST REQUEST
FOR ADMISSIONS; FIRST
REQUEST FOR ANSWERS TO
INTERROGATORIES; AND
FIRST REQUEST FOR
PRODUCTION OF
DOCUMENTS TO PLAINTIFFS
SPORTS SHINKO CO., LTD.
AND SPORTS SHINKO (USA)**

CO., LTD., DATED JANUARY
3, 2005

SPORTS SHINKO (USA) CO.,
LTD., a Delaware corporation,

CIVIL NO. CV 04-00125
ACK/BMK

Plaintiff,

vs.

PUKALANI GOLF CLUB, LLC, a
Hawai'i limited liability company;
and KG MAUI DEVELOPMENT,
LLC, a Hawai'i limited liability
company,

Defendants.

SPORTS SHINKO (USA) CO.,
LTD, a Delaware corporation,

CIVIL NO. CV 04-00126
ACK/BMK

Plaintiff,

vs.

KIAHUNA GOLF CLUB, LLC, a
Hawai'i limited liability company;
KG KAUAI DEVELOPMENT, LLC,
a Hawai'i limited liability
company; PUKALANI GOLF
CLUB, LLC, a Hawai'i limited
liability company; KG MAUI
DEVELOPMENT, LLC, a Hawai'i
limited liability company;
MILILANI GOLF CLUB, LLC, a
Hawai'i limited liability company;

QK HOTEL, LLC, a Hawai'i
limited liability company; OR
HOTEL, LLC, a Hawai'i limited
liability company, and KG
HOLDINGS, LLC, a Hawai'i
limited liability company,

Defendants.

SPORTS SHINKO CO., LTD.,

Plaintiff,

vs.

OR HOTEL, LLC, a Hawai'i
limited liability company,

Defendant.

CIVIL NO. CV 04-00127
ACK/BMK

SPORTS SHINKO (USA) CO.,
LTD., a Delaware corporation,

Plaintiff,

vs.

MILILANI GOLF CLUB, LLC, a
Hawai'i limited liability company,

Defendants.

CIVIL NO. CV 04-00128
ACK/BMK

31. *Admit that except for the transfer of the OR Hotel, the transfer of the QK Hotel, and the transfer of all lands at Pukalani described in paragraph 1.1.1(a)(v) of the PSA [SIC], the Transactions Contemplated by the PSA were completed on January 25, 2002.*

Objection: Vague and ambiguous such that Plaintiffs cannot know what they would be admitting. Plaintiffs object to the definition of the "Transactions contemplated by the PSA" [SIC] as a single "transfer." Also, there is no section 1.1.1(a)(v) in the PSA. Plaintiffs assume Defendants mean section 1.1(a)(v).

Admit: _____ Deny: _____X_____

Subject to the foregoing objections, Plaintiffs admit the escrows for the transfers under the January 15, 2002 Purchase and Sale Agreement, other than the OR Hotel and QK Hotel, closed on or around January 25, 2002. Plaintiffs admit that certain Maui real property was not transferred on that date, due to errors in the property descriptions provided by the title company that were used to create the deeds. In addition, the Cartwright Apartments (TMK No. (1) 2-6-27-30) were apparently deeded on April 15, 2002 to QK Hotel LLC.

32. *Admit that the OR Hotel was purportedly transferred by SS-Waikiki to OR Hotel, LLC on February 1, 2002, and that as of December 31, 2004, SS-Waikiki has not provided consent of the lessor of OR Hotel to the transfer.*

Objection: Vague and ambiguous such that Plaintiffs cannot know what they would be admitting (e.g., "purportedly" and "provided"). The Request is misleading as to the SS Hawaii Subsidiaries' legal duties to the extent that "provided consent" implies that SS-Waikiki has some duty, power, or obligation to obtain consent of the "lessor" beyond any duty in the PSA, including Section 7.3.

Admit: _____ Deny: _____X_____

Plaintiffs have disclosed and/or will produce non-privileged documents responsive to this request, if any exist, subject to their objections and the Stipulated Protective Order.

MAY 13 2005

DATED: Honolulu, Hawai'i, _____.



PAUL ALSTON
GLENN T. MELCHINGER
Attorneys for Plaintiffs

VERIFICATION

JAPAN

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OSAKA

) SS:

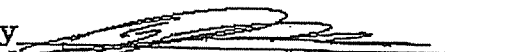
)

Yoshihiko Machida, being first duly sworn on
oath, deposes and says:

That he is the President of SPORTS SHINKO
(USA) CO., LTD. and that he is an agent of SPORTS SHINKO (USA)
CO., LTD. for the purpose of answering the foregoing *requests for*
answers to interrogatories and for making this verification, and the
foregoing answers are true according to his knowledge, information,
and belief.

SPORTS SHINKO (USA) CO., LTD.

By


His *President*

275674-4/6850-5

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2005年 5月14日 11時09分

VERIFICATION

JAPAN

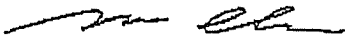
OSAKA

)
) SS:
)

Michihiro Chikubu, being first duly sworn on
oath, deposes and says:

That he is the President of SPORTS SHINKO
CO., LTD. and that he is an agent of SPORTS SHINKO CO., LTD. for
the purpose of answering the foregoing *requests for answers to*
interrogatories and for making this verification, and the foregoing
answers are true according to his knowledge, information, and
belief.

SPORTS SHINKO CO., LTD.

By 
Its President